

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

**Richmond Division**

**THOMAS W. ELLIS,  
Petitioner,**

**CIVIL ACTION NO.:** \_\_\_\_\_

**CRIMINAL NO. 3:10-cr-00131-001-HEH**

**v.**

**UNITED STATES OF AMERICA,  
Defendant.**

**AFFIDAVIT OF LARRY D. CATLETT, ESQUIRE**

Commonwealth of Virginia )  
City of Richmond ) to-wit:

BEFORE ME, the undersigned Notary Public, personally appeared Larry D. Catlett,  
Esquire, who after being duly sworn upon his oath, deposes and says:

1. My name is Larry D. Catlett, Esquire; I am over the age of eighteen (18) years of age  
and a citizen of the United States.

2. I reside at 3860 Reeds Landing Circle, Midlothian, Virginia 23113.

3. I have known Thomas W. Ellis for over fifty (50) years.

4. During that time, I have known Mr. Ellis to be an honest business man, a good friend,  
and a good neighbor.

5. I am aware of his conviction for tax fraud and I believe that this crime was out of  
character for the man I have known all of these years.

6. I firmly believe that Mr. Ellis will never commit another crime as long as he lives because of my familiarity with his life and character.

7. Mr. Ellis has shoveled snow from my mother's walk and driveway in the dead of winter when I was unable to get to my mother.

8. He has bought groceries for my mother under the same circumstances.

9. In short, he treated my mother like his mother and this was typical behavior with others as well.

10. I was approached by his attorney, Mr. Grossman, on July 30, 2010 and asked to testify as to my opinion of Thomas as a human being.

11. I gladly accepted his request and was present at sentencing, ready willing and able to testify as I have set out above.

12. Immediately prior to Mr. Ellis' sentencing, Mr. and Mrs. Ellis' attorneys were called into Judge Hudson's chambers.

13. When they emerged, Mr. Grossman very excitedly announced that he wasn't going to put on a mitigation defense because Judge Hudson had already told him that they were going to receive a year and a day which was their goal.

14. Mr. Grossman also stated that he (Mr. Ellis) would receive no more time than Mrs. Ellis.

15. These statements were made to Mr. Ellis in my presence and in the presence of Mrs. Ellis' counsel and the other witnesses; Mr. Ragsdale, Mr. Newman, Mr. Thurston and Mr. Beck.

16. The only witness Mr. Grossman called was Mr. Ragsdale and only asked him if he felt Mr. Ellis would ever commit another crime.

17. Mr. Grossman never established the fact that Mr. Ragsdale had been supervisor for the Henrico Board of Supervisors.

FURTHER, your affiant sayeth naught.

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Larry D. Catlett, Esquire

Commonwealth of Virginia )  
City of Richmond ) to-wit:

The foregoing AFFIDAVIT OF LARRY D. CATLETT, ESQUIRE was acknowledged before me this \_\_\_\_ day of July, 2011, by Larry D. Catlett, Esquire, who is personally known to me or who produced \_\_\_\_\_ as identification, and who did take an oath and stated that the facts herein are true and correct to the best of his knowledge and belief.

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Notary Public

My Commission expires: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I hereby certify that on this 14th day of July, 2011, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

David T. Maguire, Esquire  
Office of the United States Attorney  
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\_\_\_\_\_/s/  
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